

106th TN General Assembly

Second Regular Session



Tuesday, May 11, 2010

SENATE

COMMITTEE REPORTS

FINANCE, WAYS & MEANS – SHR #12 – 9:00 a.m. – Committee will continue at 1:30 p.m. on 5/12

Rec. for pass., ref to Calendar – SB's 3851, 3687.

Rec. for pass. if am., ref to Calendar – SB's 2621, 2835, 2970, 3431, 3873.

Rec. for adopt., ref to Calendar – SJR's 931, 1061, 1073, 1093, SR 216.

Action def. – SB's 131, 673, 1916, 2709, 2725, 2900, 2901, 2902, 3049, 3096, 3100, 3174, 3290, 3333, 3350, 3415, 3626, 3644, 3850, 3919.

SENATE CONVENES AT 9:00 A.M., THURSDAY, MAY 13, 2010

HOUSE

COMMITTEE REPORTS

CALENDAR & RULES – HHR #16 – 8:00 a.m. –

Reg. Cal. 5/13 – HB's 2671, 3412, 3717, HJR's 820, 1051, HB's 2875, 3832, SJR 764, HB's 1312, 3249.

Action def. – SJR 890, HB 1801.

Re-Ref to FW&M – HB 2456.

FINANCE, WAYS & MEANS – HHR #16 – 1:30 p.m. –
Rec. for pass., ref to C&R – HB's 3739, 3740, 3850, 1129.
Rec. for pass. if am., ref to C&R – HB's 1333, 1339, 3625, 3537.
Rec. for adopt., ref to C&R – HJR's 1041, 1149, HR 319.
Action def. – HB's 3780, 3230, 3259, HJR 992, HB's 2781, 3834.
Taken off notice – HB 2885.

CALENDARS FOR WEDNESDAY, MAY 12, 2010

Consent

- 1. HR 0354 by *Bone**
Memorials, Recognition - Carylee Caputo - The Abstract summarizes HR0354 as introduced.
- 2. HR 0355 by *Bone**
Memorials, Retirement - Sharon Warren - The Abstract summarizes HR0355 as introduced.
- 3. HR 0356 by *Hawk**
Memorials, Recognition - Unicoi County Apple Festival, Southeast Tourism Society's Top 20 Event for October 2010 - The Abstract summarizes HR0356 as introduced.
- 4. HJR 1235 by *Shepard**
Memorials, Retirement - Carl Pettes - The Abstract summarizes HJR1235 as introduced.
- 5. HJR 1236 by *Borchert**
Memorials, Retirement - Thomas Rondall Myers - The Abstract summarizes HJR1236 as introduced.
- 6. HJR 1237 by *Borchert, Tidwell, Fraley, Barker, McCord, Lollar, Hawk, Floyd, Gilmore, McDonald, Bell**
Memorials, Retirement - Virgil Edward "Ed" Copping - The Abstract summarizes HJR1237 as introduced.
- 7. HJR 1238 by *Camper**
Memorials, Academic Achievement - Minh H. Nguyen, Valedictorian, Wooddale High School - The Abstract summarizes HJR1238 as introduced.
- 8. HJR 1239 by *Camper**
Memorials, Academic Achievement - Rayshauna Davis, Valedictorian, Oakhaven Early College High School - The Abstract summarizes HJR1239 as introduced.
- 9. HJR 1240 by *Camper**
Memorials, Academic Achievement - Pariesha K. Bee, Salutatorian, Oakhaven High School - The Abstract summarizes HJR1240 as introduced.
- 10. HJR 1241 by *Camper**
Memorials, Academic Achievement - Latoya Jackson, Salutatorian, Wooddale High School - The Abstract summarizes HJR1241 as introduced.
- 11. HJR 1242 by *Weaver**
Memorials, Academic Achievement - Jonathan "Hunter" Tramel, Valedictorian, DeKalb County High School - The Abstract summarizes HJR1242 as introduced.
- 12. HJR 1243 by *Halford**
Memorials, Academic Achievement - Kirstin Wright, Top Ten, Humboldt High School - The Abstract summarizes HJR1243 as introduced.
- 13. HJR 1244 by *Halford**
Memorials, Academic Achievement - Avery Andrews, Top Ten, Humboldt High School - The Abstract summarizes HJR1244 as introduced.
- 14. HJR 1245 by *Halford**
Memorials, Academic Achievement - Immanuel Chioco, Top Ten, Humboldt High School - The Abstract summarizes HJR1245 as introduced.
- 15. HJR 1246 by *Halford**
Memorials, Academic Achievement - Stephen Charlton, Top Ten, Humboldt High School - The Abstract summarizes HJR1246 as introduced.
- 16. HJR 1247 by *Halford**
Memorials, Academic Achievement - Kali Sharp, Top Ten, Humboldt High School - The Abstract summarizes HJR1247 as introduced.

(Consent Calendar cont.)

17. HJR 1248 by *Halford

Memorials, Academic Achievement - Sandra Turner, Top Ten, Humboldt High School - The Abstract summarizes HJR1248 as introduced.

18. HJR 1249 by *Halford

Memorials, Academic Achievement - Sara Gall, Top Ten, Humboldt High School - The Abstract summarizes HJR1249 as introduced.

19. HJR 1250 by *Halford

Memorials, Academic Achievement - Jordan Plaxico, Top Ten, Humboldt High School - The Abstract summarizes HJR1250 as introduced.

20. HJR 1251 by *Halford

Memorials, Academic Achievement - Sheena McClinton, Top Ten, Humboldt High School - The Abstract summarizes HJR1251 as introduced.

21. HJR 1252 by *Halford

Memorials, Academic Achievement - Meredith Atkins, Top Ten, Humboldt High School - The Abstract summarizes HJR1252 as introduced.

22. HJR 1254 by *Yokley

Memorials, Recognition - Greenville High School Air Force Junior Reserve Officers Training Corps unit - The Abstract summarizes HJR1254 as introduced.

23. HJR 1255 by *Hensley

Memorials, Personal Occasion - John and Janie Ellis, 50th wedding anniversary - The Abstract summarizes HJR1255 as introduced.

24. HJR 1256 by *McDonald

Memorials, Retirement - Brenda Marie Page, Clerk and Master 18th Judicial District - The Abstract summarizes HJR1256 as introduced.

25. SJR 1143 by *Black

Memorials, Retirement - Judy Baggett - The Abstract summarizes SJR1143 as introduced.

26. SJR 1159 by *Black

Memorials, Academic Achievement - Kaysie Elizabeth Jackson, Salutatorian, Gallatin High School - The Abstract summarizes SJR1159 as introduced.

27. SJR 1160 by *Black

Memorials, Academic Achievement - Sara Kathrine Nash, Valedictorian, Gallatin High School - The Abstract summarizes SJR1160 as introduced.

Regular

1. *HB 3120 by *Gilmore, Cooper B (SB 3222 by *Harper, Black)

Driver Licenses - As introduced, requires circuit court and criminal court clerks to establish driver license recovery plan for certain persons with suspended driver licenses. - Amends TCA Title 55, Chapter 12, Part 1 and Title 55, Chapter 50, Part 5.

2. *HB 2653 by *Maggart, McDonald, Lynn (SB 2638 by *Black)

Traffic Safety - As introduced, allows counties to regulate parking on roadways solely under their jurisdiction by resolution. - Amends TCA Title 55, Chapter 8.

3. *HB 0209 by *Coley (SB 1472 by *Marrero B)

Education - As introduced, requires graduating high school students to take a foreign language proficiency test that will provide diagnostic information to educators. - Amends TCA Title 49, Chapter 6, Part 60. - The Abstract summarizes HB0209 as introduced.

4. *HB 0376 by *Coley (SB 1743 by *Marrero B)

Education - As introduced, urges institutions with approved teacher training programs to offer comparative education programs. - Amends TCA Title 49.

5. *HB 2947 by *Coley, McManus (SB 3304 by *Kelsey, Henry)

Education - As introduced, requires public postsecondary institutions to grant college credit to entering students who successfully participated as high school students in the International Baccalaureate Diploma Programme; establishes a monetary incentive program for schools and school districts that participate in the International Baccalaureate Diploma Programme. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5; Title 49, Chapter 6 and Title 49, Chapter 7, Part 1.

(Regular Calendar cont.)

6. HB 3591 by *Miller L, Turner M, Eldridge, Hardaway, Gilmore, Jones U, DeBerry J, Turner J, Favors, Camper, Brown, Cooper B (*SB 3086 by *Burchett)

Business and Commerce - As introduced, revises provisions concerning state contracting with small, minority owned and women owned businesses; establishes Tennessee small business preference. - Amends TCA Title 12, Chapter 3.

7. HB 2187 by *Brooks K (*SB 2033 by *Bunch)

Tennessee Housing Development Agency - As introduced, requires agency to develop and implement a system of county needs scores to, among other things, ensure that suburban communities have equal opportunity and awards similar to urban communities. - Amends TCA Title 13, Chapter 23. - The Abstract summarizes HB2187 as introduced.

8. HB 3438 by *Harrison (*SB 2937 by *Faulk)

Highway Signs - As introduced, "Purple Heart Trail," S.R. 33 in Hancock County. - The Abstract summarizes HB3438 as introduced.

9. HB 3543 by *Maddox (*SB 2900 by *McNally, Ketron)

Fines and Penalties - As introduced, increases blood alcohol or drug concentration test (BADT) fee from \$100 to \$250, and adds to present offenses mandating such fine conviction of reckless driving or simple possession or casual exchange of controlled substance. - Amends TCA Title 55, Chapter 10, Part 4.

10. *HB 3549 by *Maddox, Hardaway (SB 3410 by *Crowe, Yager, Ford, O., Finney L, Ketron, Burks)

Funeral Directors and Embalmers - As introduced, provides for an indigent fund to be created for certain purposes once the balance in the pre-need funeral consumer protection account exceeds \$2,500,000. - Amends TCA Section 62-5-414.

11. HB 3538 by *Maddox (*SB 2901 by *McNally, Ketron)

Fines and Penalties - As introduced, increases mandatory drug testing fee from \$100 to \$250 and additionally imposes fine on granting of pretrial or judicial diversion. - Amends TCA Title 39, Chapter 17, Part 4.

12. *HB 3504 by *Fitzhugh (SB 3333 by *McNally)

Electricity - As introduced, authorizes a G&T cooperative to make payments in lieu of taxes to any state or local taxing jurisdiction under certain circumstances. - Amends TCA Title 48 and Title 67.

13. *HB 2975 by *Fitzhugh (SB 2908 by *McNally, Ketron)

State Employees - As introduced, requires state insurance committee to provide opportunity for eligible local education employees to participate in the long-term care benefits program. - Amends TCA Title 8, Chapter 27.

14. *HB 3589 by *Fitzhugh (SB 3693 by *McNally)

Education - As introduced, names the comptroller as the vice chair of the state school bond authority and authorizes the authority to govern its own meetings and procedures. - Amends TCA Title 49, Chapter 3.

15. HB 3598 by *Fitzhugh, Naifeh, Shaw (*SB 3335 by *Herron)

Economic and Community Development - As introduced, limits proximate but noncontiguous property added to a megasite to no more than 500 acres. - Amends TCA Title 64, Chapter 6. - The Abstract summarizes HB3598 as introduced.

16. *HB 3601 by *Fitzhugh (SB 3692 by *McNally)

Public Funds and Financing - As introduced, revises the composition of the state funding board and revises the definition of "state director of local finance" within present law regarding bonds and notes issued by local governments to mean the comptroller instead of the state director of local finance in the office of the comptroller. - Amends TCA Title 9, Chapters 9 and 21.

17. *HB 3607 by *Fitzhugh (SB 3686 by *McNally)

Taxes, Assessment - As introduced, clarifies that under present law regarding the classification and assessment of property taxes relating to public utilities, a motor bus and/or truck company owning or leasing real or personal property located in the state would include those owner operators who operate under such motor bus and/or truck company's motor carrier authority. - Amends TCA Title 67.

(Regular Calendar cont.)

18. *HJR 0917 by *Fitzhugh, Dean

Highway Signs - "Elmer Eugene Byrum, Jr. Memorial Highway," segment of S.R. 19 in Lauderdale County. - The Abstract summarizes HJR0917 as introduced.

19. HB 3788 by *DeBerry J, Turner M (*SB 3873 by *Kyle, Jackson)

Correctional Programs - As introduced, includes operation of transitional facilities within meaning of "correctional services" for purposes of the Private Prison Contracting Act of 1986; defines "transitional facilities" as certain institutions where offenders who are close to release from prison are provided transitional services. - Amends TCA Section 41-24-102.

20. HB 3130 by *Harwell, Hardaway (*SB 2416 by *Gresham, Black)

Education - As introduced, requires state board of education to develop and adopt teacher code of ethics to be used in defining conduct unbecoming to a member of the teaching profession. - Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 5.

21. *HB 3191 by *Mumpower, Casada, Yokley (SB 3155 by *Overbey)

Boards and Commissions - As introduced, enacts the "Tennessee Appraisal Management Company Registration and Regulation Act." - Amends TCA Title 62, Chapter 39.

22. HB 3691 by *Coleman, Richardson, Todd, Carr, Harrison, Marsh, Turner J (*SB 3439 by *Tracy, Ketron, Marrero B, Burchett, Burks, Overbey, Black)

Bail, Bail Bonds - As introduced, requires that any defendant arrested for any offense against a person and who has a severe and persistent mental illness be held in custody for at least 12 hours from the time of such defendant's arrest if the defendant is a threat to the alleged victim. - Amends TCA Title 40, Chapter 11.

23. *HB 3136 by *Bone, Borchert, Shaw (SB 3096 by *Stewart)

Food and Food Products - As introduced, requires country of origin labeling of catfish and catfish products. - Amends TCA Title 53.

24. HB 2600 by *Lynn (*SB 2449 by *Watson, Crowe, Ford, O.)

Sunset Laws - As introduced, extends the board of nursing, June 30, 2011. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7, Part 2. - The Abstract summarizes HB2600 as introduced.

25. *HB 1273 by *Kernell, Lynn (SB 1374 by *Johnson)

Administrative Procedure (UAPA) - As introduced, revises date when permanent rules filed with secretary of state expire unless continued by the general assembly. - Amends TCA Title 4, Chapter 5, Part 2.

26. HB 3380 by *Sontany, Sargent (*SB 3059 by *Woodson, Beavers)

Depositions - As introduced, provides that an election to void a deposition because it was taken before a prohibited person must be made within one year of the date the violation occurred regardless of when the violation was discovered. - Amends TCA Section 24-9-136.

Message

1. *HB 0219 by *Fincher, Cobb T, Hardaway, Windle, Favors, Gilmore, Pruitt (SB 1788 by *Herron, Burks, Stewart, Harper)

TennCare - As introduced, requires the department of health to notify each member of the general assembly of any proposed TennCare program changes that will affect services currently provided to TennCare enrollees. - Amends TCA Title 3 and Title 71.

2. *HB 0238 by *DeBerry J, Hardaway, Shaw, Lollar, Coley, McManus, McDaniel, Ford, West, Fincher, Lundberg, Todd, Sontany, Towns, Faulkner, Maggart, Eldridge, Dean, Litz, Richardson, Bass, Watson, Moore, Johnson P, Pitts, Shipley, Halford, Floyd, White, Bone (SB 0555 by *Norris, Ketron, Burchett, Henry, Tate, Marrero B, McNally, Ford, O.)

Criminal Offenses - As introduced, prohibits a person convicted of a felony involving the use or attempted use of force, violence, or a deadly weapon from knowingly possessing a vicious dog. - Amends TCA Title 39, Chapter 17 and Title 44, Chapter 8.

3. SB 3034 by *Faulk (*HB 3034 by *Casada)

Alcoholic Beverages - As introduced, adds Sligo Marina in Dekalb County to those facilities authorized to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. - Amends TCA Section 57-4-102.

(Message Calendar cont.)

4. *HB 3291 by *Lynn (SB 3181 by *Watson, Ketron, Bunch)

Sunset Laws - As introduced, extends the Tennessee court of the judiciary, June 30, 2011. -

Amends TCA Title 4, Chapter 29 and Title 17, Chapter 5.

5. HB 3753 by *Jones S (*SB 3638 by *Henry, Marrero B, Tate, Burks, Ketron, Black)

Child Abuse - As introduced, encourages public transportation buses to promote a parental help line run by Prevent Child Abuse Tennessee; requires schools and child care facilities to distribute information on such help line. - Amends TCA Title 37, Chapter 10.

HOUSE CONVENES AT 1:00 P.M., WEDNESDAY, MAY 12, 2010